

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Local Government, to which was referred House Bill 1484, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 16 through 17, begin a new paragraph and
- 2 insert:
- 3 "SECTION 2. IC 36-2-11-16 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) This section
- 5 does not apply to:
- 6 (1) an instrument executed before November 4, 1943;
- 7 (2) a judgment, order, or writ of a court;
- 8 (3) a will or death certificate; or
- 9 (4) an instrument executed or acknowledged outside Indiana.
- 10 (b) Whenever this section prescribes that the name of a person be
- 11 printed, typewritten, or stamped immediately beneath his signature, the
- 12 signature must be written on the instrument, directly preceding the
- 13 printed, typewritten, or stamped name, and may not be superimposed
- 14 on that name so as to render either illegible. However, the instrument

1 may be received for record if the name and signature are, in the
 2 discretion of the county recorder, placed on the instrument so as to
 3 render the connection between the two apparent.

4 (c) The recorder may receive for record an instrument only if:

5 (1) the name of each person who executed the instrument is
 6 legibly printed, typewritten, or stamped immediately beneath his
 7 signature or the signature itself is printed, typewritten, or
 8 stamped;

9 (2) the name of each witness to the instrument is legibly printed,
 10 typewritten, or stamped immediately beneath his signature or the
 11 signature itself is printed, typewritten, or stamped;

12 (3) the name of each notary public whose signature appears on the
 13 instrument is legibly printed, typewritten, or stamped immediately
 14 beneath his signature or the signature itself is printed, typewritten,
 15 or stamped; and

16 (4) the name of each person who executed the instrument appears
 17 identically in the body of the instrument, in the acknowledgment
 18 or jurat, in his signature, and beneath his signature;

19 or if subsection (d) is complied with.

20 (d) The recorder may receive for record an instrument that does not
 21 comply with subsection (c) if:

22 (1) a printed or typewritten affidavit of a person with personal
 23 knowledge of the facts is recorded with the instrument;

24 (2) the affidavit complies with this section;

25 (3) the affidavit states the correct name of a person, if any, whose
 26 signature cannot be identified or whose name is not printed,
 27 typewritten, or stamped on the instrument as prescribed by this
 28 section; and

29 (4) when the instrument does not comply with subsection (c)(4),
 30 the affidavit states the correct name of the person and states that
 31 each of the names used in the instrument refers to the person.

32 (e) The recorder may record a **document presented for recording**
 33 **or a copy produced by a photographic process of any the document**
 34 **presented for recording if:**

35 (1) the document complies with other statutory recording
 36 requirements; and

37 (2) the **document or copy is will produce** a clear ~~concise~~, and
 38 unobstructed copy.

1 All copies accepted for recording shall be marked as copies by the
2 recorder.

3 (f) An instrument, **document, or copy** received and recorded by a
4 county recorder is conclusively presumed to comply with this section."

5 Delete page 2.

(Reference is to HB 1484 as introduced.)

and when so amended that said bill do pass.

Representative Stevenson